

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO. 05-11608-GAO

DAVID COX,

Plaintiff,

v.

**RYAN MARINI, SEAN BORDWELL,
AND JOHN DOE,**

Defendants.

**DEFENDANT RYAN MARINI'S MOTION FOR EXTENSION OF
TIME TO RESPOND TO PLAINTIFF'S MOTION TO COMPEL**

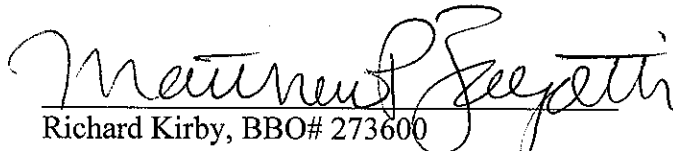
The Defendant Ryan Marini hereby moves for an extension of time through and including January 17, 2007 to respond to the Plaintiff's Motion to Compel Ryan Marini to Reveal John Doe's Identity. In support of this motion, the Defendant states as follows:

1. Plaintiff's Motion to Compel was filed late in the afternoon on Friday, December 22, 2006;
2. Defendant's counsel was out of the office during the entire week between Christmas and New Year's Day and, therefore, did not have the opportunity to review Plaintiff's motion until Tuesday, January 2, 2007;
3. Upon Defense counsel's return to work on Tuesday, January 2, 2007, Defendant Marini was not immediately available to confer with his counsel regarding Plaintiff's motion;
4. The Plaintiff's counsel has advised counsel for the Defendant that Plaintiff will not oppose this motion; and
5. The Plaintiff will not be prejudiced by the brief requested extension of time.

WHEREFORE, the Defendant Ryan Marini respectfully requests that this Honorable Court enter an order extending the time within which he may respond to Plaintiff's Motion to Compel through and including January 17, 2007.

DEFENDANT RYAN MARINI

By his attorneys,




Richard Kirby, BBO# 273600
Matthew P. Zayotti, BBO# 638265
Keegan Werlin LLP
265 Franklin Street
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(617) 951-1400

Dated: January 8, 2007

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I, Matthew P. Zayotti, hereby certify that on January 8, 2007, I conferred with Damon P. Hart, Esq., counsel for the Plaintiff David Cox, in a good faith attempt to resolve or narrow the issues related to this motion.



CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on

January 8, 2007
